

# Intervi w Summary

Application No.

07/839,194

Applicant(s)

Gordon et al.

Examiner

Deborah Crouch

Group Art Unit

1632



All participants (applicant, applicant's representative, PTO personnel):

(1) Deborah Crouch(3) Lauri Butler(2) Louis Myers

(4) \_\_\_\_\_

Date of Interview Nov 22, 1999Type: ☒ Telephonic ☐ Personal (copy is given to applicant applicant's representative).Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description:Fax of 10/26/99.Agreement ☐ was reached. ☒ was not reached.Claim(s) discussed: of record

Identification of prior art discussed:

None of record.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Myers emphasized that the written description was in error as the Guidelines clearly indicate that under the Lily decision the holdings were only to be applied to nucleic or amino acid sequences. Mr. Myers also stated that the case law cited in the rejection pertain only to nucleic acid or amino acid sequences. Mr. Myers further stated that at the time of filing that other serum milk protein promoters were known in the art, and that it would have been routine experimentation to exchange one promoter for another promoter. I countered that in 1985 transgenic mammals which expressed isolatable quantities of protein in their milk were not routinely made. All arguments and evidence presented by applicant's will be considered.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

DEBORAH CROUCH  
PRIMARY EXAMINER  
ART UNIT 1632

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.